IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1519 OF 2005

Haresh Dharma Mandavkar ... Applicant

versus

The State of Maharashtra & anr. ... Respondents

...

Mr.S.G. Rajput, for the Applicant.

Mr.V.B. Konde Deshmukh, A.P.P., for the Respondent State.

...

CORAM : A.M.KHANWILKAR,J.

15th March 2005

P.C.:

. Heard Counsel for the parties. As the prosecutrix is below 16 years of age, as can be seen from the certificate, which has come on record during the course of investigation, assuming that there is substance in the argument of the Applicant that the prosecutrix was a consenting party, that will make no difference

and the offence nevertheless is made out. Having regard to the seriousness of the offence, not a case for bail. Hence, rejected.

. As prayer for bail has been rejected, the Principal Judge, Sessions Court for Greater Mumbai, is directed to assign the case to Fast Track Court, if already not done, to ensure early disposal of the trial as High Court Expedited Case. The Applicant shall extend full co-operation for early disposal of the trial. In case, the trial Court is of the opinion that the Applicant is in any manner responsible for delaying disposal of the trial, that fact be recorded in the roznama, which will be taken into account as and when occasion arises.

(A.M.KHANWILKAR,J.)